

Control No. 2006.037

III

**RECORDING REQUESTED BY
AND WHEN RECORDED, RETURN TO:**

Redevelopment Agency of the City of Milpitas
455 E. Calaveras Boulevard
Milpitas, CA 95035-5479
Attn: Office of the City Clerk

EXEMPT FROM RECORDING FEES PER GOVERNMENT CODE
§§6103, 27383

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

RESOLUTION NO. RA _____

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF MILPITAS
AUTHORIZING THE LOT LINE ADJUSTMENT**

WHEREAS, on October 3, 2006 the Redevelopment Agency of the City of Milpitas, at an open and noticed meeting of the Agency Board, by Resolution No. RA268, authorized a lot line adjustment to certain real property located in the City of Milpitas; and

WHEREAS, after Resolution No. RA268 was passed and adopted by the Agency Board and was recorded, the City Engineer determined that further adjustments to the legal description, plat maps and other exhibits related to Resolution No. RA268 would be necessary, and therefore submits this Resolution No. _____, to reflect the necessary adjustments and supersede the effect of Resolution No. RA268 and its recordation and effect into and upon the chain of title; and

WHEREAS, there has been submitted to the Redevelopment Agency of the City of Milpitas, a legal description and plat describing proposed adjustments to the lot line between Assessor's Parcel No. 022-30-005, and Assessor's Parcel No. 022-30-033 identified as "Parcel Four" of the "Parcel Map" filed July 28, 2000 in Book 730 of Maps, pages 13 to 16, series 15336133 of the Santa Clara County Records; and

WHEREAS, pursuant to Government Code section 66412 (d), the California Subdivision Map Act does not apply to lot line adjustments between four or fewer adjoining parcels where the land taken from one parcel is added to an adjoining parcel and where no greater number of parcels is created than originally existed; and

WHEREAS, the property line adjustment set forth in Exhibit "A" attached hereto and incorporated herein by this reference to adjust the common lot line between the subject parcels, is in conformance with the provisions of Government Code section 66412 (d) and complies with Title II and Title XI of the Milpitas Municipal Code; and

WHEREAS, the parcels resulting from the lot line adjustment will conform to the City's general plan, and applicable zoning and building ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Milpitas, California, that the lot line adjustment described on Exhibit "A" attached hereto this Resolution be approved; subject to the following conditions:

1. This Resolution No. _____, including its attachments and exhibits supersedes and renders null and of no force or effect Resolution No. RA268 and all Resolution No. RA268 exhibits and attachments.
2. The lot line adjustment is not valid until the property owner records a deed reflecting the lot line adjustment as shown on Exhibit "A". A copy of the recorded deed with the authorizing resolution shall be submitted to the City by the owner.
3. Reference is made to Sections 8762 and 8762.5 of the Land Surveyor's Act. Recordation of a record of survey may be required in accordance with the above act.

BE IT FURTHER RESOLVED, that the Agency Secretary is directed to cause a certified copy of this resolution, attested under seal of the Redevelopment Agency to be recorded in the office of the County Recorder of Santa Clara County.

PASSED AND ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, Agency Secretary

Jose Esteves, Chair

APPROVED AS TO FORM:

Steven T. Mattas, Agency Counsel

Exhibit "A"
Legal Description Before Lot Line Adjustment

PARCEL A

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, described as follows:

Being all of Parcel Four as shown on that Parcel Map filed July 28, 2000 in Book 730 of Maps, at pages 13-16, Santa Clara County Records;

CONTAINING 406,951 square feet, more or less.

PARCEL B

All that certain real property situate in the City of Milpitas, County of Santa Clara, State of California, described as follows:

Being all of that certain Parcel 2 as described in Final Judgment of Condemnation, recorded March 12, 1954 at Book 2832, Page 232, Official Records of Santa Clara County;

CONTAINING 397,445 square feet, more or less.

LARRY E. JOHNSON
L.S. NO. 4998
EXPIRATION DATE: 12-31-2007

Date

EXHIBIT "A"

LEGAL DESCRIPTION

AFTER LOT LINE ADJUSTMENT

PARCEL A

All that real property situated in the City of Milpitas, County of Santa Clara, State of California, being more particularly described as follows:

Commencing at the westerly right of way line of North McCarthy Boulevard as shown on that certain Parcel Map filed on July 28th, 2000 at 3:04pm in Book 730 of Maps at Pages 13-16, Series Number 15336133, Official Records Santa Clara County, at the southeasterly corner of Parcel Four as shown on said map; thence continuing along said westerly right of way line North 08°05'10" West 668.89' to the **True Point of Beginning**; thence leaving said westerly right of way line South 82°52'56" West 231.50'; thence North 07°10'12" West 363.10'; thence North 26°19'31" West 489.66' to the beginning of a tangent curve to the right; thence along the arc of said curve, having a radius of 655.00' through a central angle of 19°29'11", an arc distance of 222.77' to a point of compound curvature; thence along the arc of a curve to the right, tangent to the preceding curve, having a radius of 1410.00' through a central angle of 09°09'09" for an arc distance of 225.24'; thence North 02°18'49" East 294.56' to a point on said westerly right of way line of McCarthy Boulevard from which point the center of a curve to the right bears South 22°34'41" West; thence southeasterly along said westerly line the following courses and distances, along the arc of said curve to the right, having a radius of 516.00', through a central angle of 24°55'06", an arc distance of 224.41' to a point of compound curvature, along the arc of a curve to the right, tangent to the preceding curve, having a radius of 499.00', through a central angle of 28°04'20", an arc distance of 244.49', South 14°24'43" East 718.26', along the arc of a tangent curve to the right, having a radius of 960.00' through a central angle of 05°07'17" an arc distance 85.81', South 09°17'26" East 194.33', and South 08°05'10" East 191.98 to the **True Point of Beginning**.

Containing 406,951 square feet, more or less.

Larry E. Johnson
Licensed Land Surveyor
California No. 4998

Date

EXHIBIT "A"

LEGAL DESCRIPTION

AFTER LOT LINE ADJUSTMENT

PARCEL B

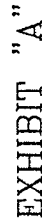
All that real property situated in the City of Milpitas, County of Santa Clara, State of California, being more particularly described as follows:

Beginning at the westerly right of way line of North McCarthy Boulevard as shown on that certain Parcel Map filed on July 28th, 2000 at 3:04pm in Book 730 of Maps at Pages 13-16, Series Number 15336133, Official Records Santa Clara County, at the southeasterly corner of Parcel Four as shown on said map; thence leaving said westerly line and running along the southernmost line of said Parcel Four and its westerly prolongation South 81°54'50" West 378.01', thence North 82°00'30" West 241.37'; thence North 65°31'00" West 79.36'; thence North 00°18'40" East 202.09'; thence North 33°35'20" East 150.88'; thence North 27°37'10" East 113.06'; thence North 17°25'40" East 175.22'; thence North 29°13'09" East 293.33'; thence South 07°10'12" East 232.68' thence North 82°52'56" East 231.50' to a point on said westerly right of way line; thence along said right of way line, South 08°05'10" East 668.89' to the **Point of Beginning**.

Containing 397,445 square feet, more or less.

Larry E. Johnson
Licensed Land Surveyor
California No. 4998

Date



PLAT TO ACCOMPANY DESCRIPTION OF
PARCELS A&B AFTER LOT LINE ADJUSTMENT
1425 NORTH MCCARTY BLVD. MILPITAS, CA 95035



MARK THOMAS & COMPANY, INC.
Providing Engineering, Surveying, and Planning Services
1960 Zanker Road
San Jose, CA 95112
(408) 453-6373

DESIGNED BY	DCJ	APPROVED ON	11/09/2006	JOB NO. 66-0184B	SHEET 4 / 4
CHKD. BY	LEJ	BY	LARRY E. JOHNSON		
DATE	12/13/2005	L.S. NO.4998 EXP. 12/31/07		FILE NO.	4 / 4
SCALE 1" = 240 FEET					